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FISCAL IMPACT STATEMENT

LS 6363

BILL NUMBER: HB 1056

NOTE PREPARED: Mar 20, 2003

BILL AMENDED: Mar 18, 2003

SUBJECT: Display of "In God We Trust" motto and State Flag.

FIRST AUTHOR: Rep. Goodin

FIRST SPONSOR: Sen. Nugent

BILL STATUS: As Passed - Senate

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) The bill specifies that a worn out state flag should be disposed of in a dignified way. The bill authorizes a public school corporation to display the Motto of the United States, "In God We Trust", in a conspicuous place in the main entrance of each building of the school corporation. The bill authorizes the display of a United States flag in each classroom of a school corporation and allows a school corporation to provide a daily opportunity for students to voluntarily recite the Pledge of Allegiance, with an exemption for those students who choose (or whose parents choose for them) not to participate. The bill allows a school corporation to establish the daily observance of a brief period of silence in each classroom. The bill provides that if the governing body of a school corporation has not established a policy concerning the pledge of allegiance or a period of silence, a principal or teacher may establish a policy. The bill requires the Attorney General (AG) to defend all suits challenging the constitutionality of the display of the Motto, recitation of the Pledge, and the moment of silence. The bill repeals a current law allowing an optional brief period of silent prayer or meditation.

Effective Date: (Amended) Upon Passage; July 1, 2003.

Explanation of State Expenditures: (Revised) *State Flags*- To the extent that the state currently destroys worn out state flags by burning them, the bill would not require additional expenditure.

Attorney General- The bill requires the Attorney General to defend all suits challenging the constitutionality of displaying the National Motto, reciting the Pledge of Allegiance, and moment of silence. The estimated impact to state expenditures is unknown and would depend on the number of lawsuits filed.

Background: As of March 4, 2003, the Office of the Attorney General had 286 employees (240 full-time,

26 intermittent, 17 on leave, and three part-time.)

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) *Display of Flags*- A school corporation would be given the option to purchase enough United States flags to be displayed in each classroom of a school. The amount of expenditures necessary would depend on local action.

Display of Motto of United States- The bill gives school corporations the option to display the Motto of the United States in a conspicuous place in the main entrance of each building of the school corporation. The display must include the phrase: "In God We Trust, the National Motto of the United States of America, adopted by Congress, July 30, 1956." The display must be in English. *Under the bill, school corporations may not use any public funds, if donations are available to pay the costs of displaying the motto.*

Mississippi Initiative: House Bill 51 was signed into law during the 2001 session of the Legislature. The bill provided that all schools in Mississippi would be required to display the Motto of the United States. The American Family Association indicated that a professional printing firm printed the required copies of the motto of the United States for the 32,000 classrooms, auditoriums, and student dining areas in Mississippi schools free of cost to the schools.

Wichita, Kansas: By the end of 2002, all schools in Wichita, Kansas, will display at least one 11" X 14" motto of the United States poster. Funding for these posters will be provided by a local non-profit group.

Background: There are currently 293 school corporations in Indiana, with approximately 1,900 public schools.

Based on a simple sample of flag retailers, American flags can be purchased for prices ranging from \$1.50 to \$23.50 each, depending upon flag size and order quantities.

A per unit cost for an 11" X 14" poster displaying the Motto is approximately \$3-\$6, depending on the number of posters ordered. The American Family Association has stated on their Internet website that they would defend schools in lawsuits, free of charge, brought forth by the display of the Motto.

Explanation of Local Revenues:

State Agencies Affected: Office of the Attorney General.

Local Agencies Affected: School corporations.

Information Sources: Indiana Department of Education, IDOE SAS and ORACLE data tables; Office of the Attorney General; Anyflag.com; Tidmoreflags.com; Martin's Flag Company; Regal Flags; CVS Systems Inc; www.state.ms.us; American Family Association: www.afa.net; *The Wichita Eagle*, April 30, 2002; www.usatoday.com/news/nation/2002/02/20/usat-posters.htm.

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